

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

DIANE L. BOYD,  
Plaintiff,  
v.  
WALMART,  
Defendant.

Case No.: 2:24-cv-00275-DJC-JDP

**ORDER GRANTING MOTION TO  
WITHDRAW AS ATTORNEY**

On April 26, 2024, Plaintiff's attorney, Narak Mirzaie, filed a Motion to Withdraw as Attorney. (ECF No. 8). Therein, counsel asserts that he and his office attempted to contact Plaintiff via telephone, text message, e-mail, certified U.S. mail, and personal service countless times without success and that Plaintiff's lack of communication and lack of participation in assisting with her case made it impossible to proceed. Defendant does not oppose counsel's withdrawal. (ECF No. 13.)

Upon review of Plaintiff's motion, the Court finds that Plaintiff's attorney has complied with E.D. Cal. L.R. 182(d) and that his client's failure to maintain regular communication and to cooperate in preparing responses to upcoming disclosures constitutes a basis to permit his withdrawal as attorney of record. *See, e.g., U.A. Local*

1 342 *Joint Labor-Mgmt. Comm. v. S. City Refrigeration, Inc.*, No. C-09-3219-JCS, 2010  
2 WL 1293522, at \*3 (N.D. Cal. Mar. 31, 2010) (client's failure to cooperate or  
3 communicate effectively justified granting counsel leave to withdraw). Consequently,  
4 the Court GRANTS Plaintiff's Motion to Withdraw as Attorney.

5 Within thirty (30) days of service of this order, Plaintiff shall retain new counsel  
6 and new counsel shall file a notice of appearance in this case consistent with E.D. Cal.  
7 L.R. 182(a). Failure to do so will result in this action being referred to the assigned  
8 Magistrate Judge for all further proceedings, including dispositive and non-  
9 dispositive motions and matters. See E.D. Cal. L.R. 302(c)(21).

10 Outgoing counsel shall serve a copy of this order on Plaintiff Diane L. Boyd at  
11 her last known address forthwith and shall thereafter file with the court a certificate of  
12 service attesting to such service. At such time as service is completed, Narak Mirzaie's  
13 responsibility to represent Ms. Boyd will be terminated.

14 IT IS SO ORDERED.

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16 Dated: June 12, 2024

/s/ Daniel J. Calabretta

17 THE HONORABLE DANIEL J. CALABRETTA  
18 UNITED STATES DISTRICT JUDGE  
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